

Ladies and Gentlemen:

I would like to comment on several items in the NOI. The items to which my comments refer are indicated in parentheses.

Community-Responsive Programming (#13)

I encourage the Commission to refrain from adding program requirements to radio and TV stations. If audiences are willing to support seven local TV newscasts and local news every hour on every radio station; let audiences dictate that. If the market wants only four local TV newscasts and news only in the morning on radio stations, again, let the audience dictate that. It is also unlikely that requiring stations to air newscasts will yield more news sources—for example, WDKY-TV/Danville, KY and WKYT-TV/Lexington, KY already share the same anchors for their 10 PM (WDKY) and 11 PM (WKYT) newscasts. Markets where television and radio stations are owned by the same company will be especially vulnerable to such sharing. Requiring stations to air local news or local public affairs programming will result in more people changing the channel, or perhaps going to another source for the programming they want, such as streaming audio and video on the Internet, or cable television.

Additionally, there are other ways to promote localism than on-air programming. Radio and television stations often sponsor local events, sometimes with only scant on-air mention; for example, some stations sponsor concerts in areas they serve only with a translator, yet a competing local station with a similar format may not. Stations sponsor numerous local events and charities, sometimes even with appearances by the on-air personalities who may or may not be local; for example, WRVI-FM/Valley Station, KY has had its morning on-air personalities, whose show originates from Nashville, appear at their “River Blast” concert series, in addition to their local on-air personalities.

Disaster Warnings (#28)

The Commission should enact regulations that require television stations to provide more information for weather-related and other sudden emergencies in their viewing area than is currently required by EAS. I have noticed that a number of television stations will simply show a graphic saying “tornado warning”, yet not indicate for which counties the tornado warning has been issued. At a minimum, a station should indicate visually the type of emergency and in which counties the emergency exists. As an example of a station that is doing this in the right way, I recommend the approach of WKRG-TV/Mobile, AL approach: indicate a map of the counties under emergency, and scroll the counties and the emergency in text. While it is unreasonable that all stations have an on-air personality available 24 hours a day for any emergency (long-form coverage may also not be necessary in the case of some emergencies anyway), *all stations can provide visual information after the EAS transmission has been delivered*. This may also be an area where the public interest would be better served by easing restrictions on content originating from translators.

Paid Interviews (#32)

I would strongly encourage the Commission to make it easier for network television stations to preempt network programming. This will provide the biggest boost to localism on television.

Paid Interviews (#37)

I would strongly encourage the Commission to adopt requirements about the fair disclosure of interviews in which guests have paid to appear on the program for both radio and television. While auditing a client, I actually saw an invoice from one radio cluster in which a local organization was charged for an interview on one of the cluster’s stations. While this is essentially a cheap form of advertising for the person or organization being profiled, such interviews are generally not presented as paid programming. However, I would caution the Commission not to enact rules that would make it difficult for stations to conduct remote broadcasts; a station should not be prevented from recouping any expenses associated with a remote broadcast (such as gas for a station vehicle).

Competition between translators and Low-Power FM stations for available licenses (#45)

Low-Power FM stations should not be given priority over translators. Translators can serve the public interest in ways not done by commercial or even LPFM stations, in providing communities with programming that would not otherwise be available.

I personally listen to Air1 Radio (KHRI-FM/Hollister, CA) on W205BT/New Albany, IN, because it usually provides a much clearer signal than fellow Air1 station WSOH-FM/New Washington, IN (which coincidentally also has two translators in the Louisville area). Air1 provides me with access to music not heard on any other station in the Louisville, Kentucky area. I have volunteered at shows for an independent band out of Houston that I would not have discovered except for Air1; they also air a number of artists and bands with ties to the Louisville area and the state of Kentucky that local stations generally ignore. Additionally, *Air1 provides public affairs programming oriented towards youth and young adults, which is practically unheard of in radio.* I am frustrated, though, that W205BT is often overrun by WEKU-FM/Richmond, KY, yet WEKU has protected status even though WEKU is 90 miles away!

If W205BT were ordered off the air, it is unlikely that another broadcaster-even a LPFM-would fill the void; the other Christian stations (WJIE, WFIA, WRVI) in the Louisville market play adult-oriented Christian music, and show little interest in promoting concerts not involving their core artists. I could say the same about nearly any other city in America, as Christian Adult Contemporary, Southern Gospel, and Preaching stations are abundant and Christian Top 40 and Christian Rock stations are few.

It would also be unfair to listeners who financially support a translated station if the translator were removed with little or no warning. There could also be litigation between listeners of a station and other stations or even the FCC if existing stations were removed for LPFM, translators, or full-power stations.

Instead, I encourage the Commission to develop a system where all FM licensed stations are viewed as equals, instead of the current system where different FM services have priority over each other. No licensed station would be able to shove another off the dial simply because it is a different “service” in the eyes of the FCC. While listeners can tell if one station is weaker than another, to the public, there is only one shade of FM radio.

Additionally, LPFM stations should be allowed to operate on the second adjacent channel from other licensed FM stations. If 100-kilowatt stations in adjoining markets (such as Mobile, AL and Pensacola, FL) can provide coverage to the same area without interference, it is possible for a station with a much lower wattage to do the same. If this does not open up the desired number of frequencies, I would encourage the FCC to expand the FM band by using frequencies currently occupied by television channel 6 after the conversion to digital television is complete, and set aside a number of the new channels for LPFM stations. And while I know there will be great political opposition to this from the broadcast industry, I encourage the commission to raise the maximum effective radiated power (ERP) for LPFM to 250 watts. A coverage area of 39 square miles may be fine for a small town or even a small city, but the current restriction of 100 watts makes LPFM a poor choice for larger cities-for example, my hometown of Louisville is spread across 385 square miles now that it has merged with Jefferson County. There are also some unincorporated areas in neighboring counties that have Louisville mailing addresses; obviously, a station that is unable to provide a signal to all of a community will not serve the community very well.

Please feel free to contact me at the address in the cover sheet should the Commission require additional information.

Sincerely,
William Yeager
Louisville, KY